

ORDINANCE NO. 2742 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY FROM A-1 (AGRICULTURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN TITLED "SPORTSMAN'S PARK EAST" LOCATED AT 9435 WEST MARYLAND AVENUE; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glendale Planning and Zoning Commission held a public hearing on August 5, 2010, in zoning case ZON10-01 in the manner prescribed by law for the purpose of rezoning property located at 9435 West Maryland Avenue from A-1 (Agricultural) to PAD (Planned Area Development);

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the *Glendale Star* on June 24, 2010; and

WHEREAS, the City of Glendale Planning and Zoning Commission has recommended to the Mayor and the Council the zoning of property as aforesaid and the Mayor and the Council desire to accept such recommendation and rezone the property described on Exhibit A as a PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That a parcel of land in Glendale, Maricopa County, Arizona located at 9435 West Maryland Avenue is hereby conditionally rezoned from A-1 (Agricultural) as enacted by Ordinance No. 2291, New Series, dated January 14, 2003 to PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

SECTION 2. That the rezoning herein provided for be conditioned and subject to the development being in substantial conformance with the development plan and permitted uses contained therein of the Sportsman's Park East Planned Area Development prepared September 16, 2010.

SECTION 3. That the rezoning herein provided for be further conditioned and subject to the following:

1. Development shall be in substantial conformance with the development plan outlined in the PAD document, date stamped September 22, 2010.

2. Parking will be provided for the proposed development as outlined in Section 6 of the PAD, except that residential parking standards shall conform to the Zoning Ordinance, Section 7.400, as may be amended. Prior to issuance of any building permits, if the developer/property owner wants to utilize a shared parking concept among office, retail, housing and/or hotel uses the developer/property owner must submit a shared parking study for staff review and approval. Notwithstanding the foregoing, it is acknowledged that office (and related uses) and Stadium uses will share parking in a manner that is consistent with the property owner parking agreements previously entered into among the team, City and AZSTA.
3. Residential units shall have an average 60 square foot private exterior open space.
4. The tenant/property owner shall apply for a Special Event Permit for all special events held onsite.
5. Specific parking locations that are not proximate, but are within the same area of development, and not necessarily on the same legal parcel as the intended use (other than the Stadium) will be analyzed in conjunction with site plan and design review of Phase I and all subsequent phases for the project. Leases with tenants who will be sharing parking with the Stadium will include a provision that requires them to reduce operations to a level consistent with their remaining exclusive parking whenever the landlord is making use of the shared parking for Stadium purposes. (See Section 6 of the PAD).
6. Additional traffic studies will be required in conjunction with site plan and design review for all phases for the project subsequent to Phase I. Staff will review and approve the scope of these studies including the list of intersections to be studied before the developer/property owner undertakes them. While the public streets and nine key intersections shown in the PAD application for Phase I (and detailed on Figure 1 of the related June 14, 2010, Traffic Study) are acceptable for all Phase I development, based on the Traffic Study, the design details of ancillary features such as driveways, access points, other non-key intersections located within the study area delineated on Figure 1 of the Traffic Study and site details currently not identified in the PAD will be analyzed as part of the design review process for individual buildings.
7. During the design review process for individual buildings for Phase I and all subsequent phases, the developer/property owner will cooperate with the City as it updates the traffic management plan for stadium events in conjunction with the parking site plan submitted by the developer/property owner for Stadium events to ensure safe and efficient circulation for both event traffic and uses permitted by the PAD.
8. Locations of traffic signals, public and private streets and the intersections of public and private streets (other than those shown in Phase I of the approved PAD) will be determined in conjunction with site plan and design review for Phase I and all subsequent phases for the project.

9. Stadium Drive will become a public street upon dedication and acceptance by the City. The dedication shall allow reasonable and sufficient access to the property currently identified as the Youth Sports Fields.
10. When 93rd Avenue is constructed by the developer/property owner and is accepted by the City as a public street extending south from Maryland Avenue to a point perpendicular to Stadium Drive, the developer/property owner will cause Stadium Drive to be extended west to intersect with 93rd Avenue and will dedicate this additional portion of Stadium Drive to the City. Furthermore, the developer/property owner will include a pedestrian access route between the Youth Sports Fields and the Sportsman's Park East development.
11. The traffic studies for all phases subsequent to Phase I will analyze whether or not an extension of 93rd Avenue to Bethany Home Road is needed to meet the needs of Sportsman's Park. If such studies show that it is needed, the developer/property owner, other landowners that will benefit from such a connection and the City will enter into a development agreement at that time. If needed in connection with a particular future phase the development agreement shall be approved prior to any approvals of design review for that future phase.
12. A master drainage report, a water study and a sewer study shall be submitted in design review for each phase.
13. All future development shall comply with all Fire Access requirements, including any High Rise construction.
14. Any new water/sewer/access easements and additional right-of-ways shall be dedicated to the City of Glendale prior to the first Certificate of Occupancy for that particular building.

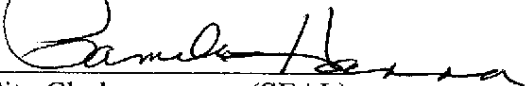
SECTION 4. Amendment of Zoning Map. The City of Glendale Zoning Map is herewith amended to reflect the change in districts referred to and the property described in Section 1 above.

SECTION 5. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

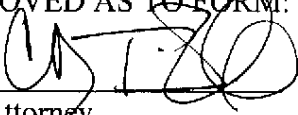
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 12th day of October, 2010.


MAYOR


ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager